

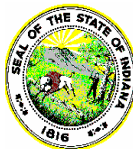
***Are you registered but  
not able to vote?  
Cast a Provisional Ballot  
in 2004***

## **Who Can Vote?**

You have the right to vote in an Indiana election if you are a U.S. Citizen, you are a resident of Indiana, you will be at least 18 years of age at the next general or municipal election, you have lived in the precinct where you vote for at least 30 days before the election, you are not currently in prison after being convicted of a crime, *and* you are registered to vote.

## **What is a provisional ballot?**

A provisional ballot allows you to cast a vote if you believe you are registered to vote in a precinct but your name does not appear on the precinct's poll list (or if you have been challenged as not qualified to vote in your precinct). Your provisional ballot will be kept separate from the other ballots cast in that precinct. After the polls close, the county election board will decide whether you were qualified to vote in that precinct and whether your ballot should be counted. You will be able to contact your county election board after Election Day to find out whether your ballot was counted, and if it was not counted, why not.



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Secretary of State Todd Rokita with  
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Act of 2002

# ***2004 Guide to Provisional Ballots***



*Secretary of State Todd Rokita  
State of Indiana*

## What if I am registered but my name does not appear on the precinct's poll list?

You can still vote without casting a provisional ballot if one of these fail-safe procedures applies to you:

1. **Certificate of Error** – If your name does not appear on the poll list because of an error by the county, the county must issue a Certificate of Error before you are allowed to vote. You are allowed to vote on election day at the polling place where your name should have appeared on the poll list.
2. **Written Affirmation** – If you were at one time registered in this precinct, but your name does not appear on the poll list now, you can vote if you are willing to sign a written statement (or make an oral affirmation in the presence of the inspector or one of the judges) that you still live at the address in the precinct that county voter registration records show as your former address.
3. **Receipt from Voter Registration Agency** – If your name does not appear on the poll list but you have a receipt from a voter registration application form indicating that you applied to register at a voter registration agency while the registration period was still open (at least 29 days before the election), you may cast a ballot. If the county voter registration office does not have any record of receiving your application, then you may vote after the information on your receipt is recorded on the poll list.

## What if my name or address does not match what is on the precinct's poll list?

You can still vote without casting a provisional ballot if one of the following fail-safe procedures applies to you:

1. **Moved within the precinct or name changed** - If your name is on the poll list but you have moved within the same precinct or your name has changed, you may vote if you sign the poll book with your new address or new name.
2. **Moved more than 30 days before the election but still live in the same county and congressional district** - If you moved more than 30 days before the election outside of the precinct to another precinct that is still in the same county and congressional district, you may vote at your old precinct one last time by signing a transfer affidavit or by making an oral affirmation of these facts in the presence of the precinct election board.
3. **Moved to a different precinct within the State of Indiana no more than 30 days prior to the election** - If you moved outside of the precinct to any other precinct in any Indiana county within the final 30 days before the election, you may vote at your old precinct one last time by signing a transfer affidavit.
4. **Moved outside the State of Indiana in the last 30 days before a presidential election** – If you moved from an Indiana precinct to a new residence outside of Indiana and moved within the final 30 days before Election Day, you may vote at your old precinct one last time by signing an affidavit provided by local election officials. You will only be given a ballot to vote for President and Vice President.

## What if I do not qualify for any of these fail-safe procedures for voters?

You can vote if you sign an affidavit that you are eligible to vote in this precinct and that you applied to register to vote at an address in this precinct while the registration period was still open. You will then be given a provisional ballot and allowed to vote.

## Can I vote without being required to cast a provisional ballot?

Yes, if your name appears on the precinct poll list or if you qualify to use one of the fail-safe procedures for voting described in this brochure, you can vote.

## What are the penalties for violating Indiana Election Laws?

You are committing a felony if you vote at a polling place that you know is not your legal polling place, if you intimidate a voter or pay a voter to cast a ballot for or against any candidate, if you tamper with an absentee or other voted ballot or if you disclose how another person cast his/her ballot. If you believe an election law has been violated, contact your county election board or county prosecuting attorney. **If you knowingly vote at an election when you are not authorized to vote, you are committing a felony and can be fined up to \$10,000, jailed for up to three years, or both.**

For more election information, please visit the Secretary of State's website at [www.sos.IN.gov](http://www.sos.IN.gov), or contact Secretary Rokita's office at



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